

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF
PENNSYLVANIA

RITA WILCZYNSKI
Plaintiff,

v.

THE SCHREIBER LAW FIRM, PLLC,
Defendant,

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Case No. 2:13-cv-06520-RB

**ANSWER OF DEFENDANTS THE SCHREIBER LAW FIRM, PLLC et. al. TO THE
COMPLAINT OF RITA WILCZYNSKI**

THE SCHREIBER LAW FIRM, PLLC, (Defendant) by and through attorney, DAVID
KENNEDY BIFULCO, Esquire. answers the allegations in the complaint filed by RITA
WILCZYNSKI (Plaintiff):

INTRODUCTION

1. Admitted in Part Denied in Part: Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, *15 U.S.C. 1692 et seq.* (FDCPA). The Defendants actions in this matter were not illegal and there were no violations.

JURISDICTION AND VENUE

2. Admitted in Part, Denied in Part: Jurisdiction of this court arises under 28 U.S.C. § 1331 and pursuant to *15 U.S.C. 1692k(d)*.
3. Admitted.
4. Admitted.

PARTIES

5. Admitted.
6. Admitted:

7. Admitted: Defendant is a debt collector as that term is defined by *15 U.S.C. 1692a(6)*.

Defendant is an organization with a business office located in Trevose, Pennsylvania.

8. Admitted.

9. Admitted.

10. Admitted.

FACTUAL ALLEGATIONS

11. Admitted in Part Denied in Part: A call was made however, after reasonable investigation the Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of these allegations, and therefore said allegations are denied.

12. Denied: After reasonable investigation the Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of these allegations, and therefore said allegations are denied.

13. Admitted.

14. Admitted.

15. Denied: After reasonable investigation the Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of these allegations, and therefore said allegations are denied.

16. Denied: After reasonable investigation the Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of these allegations, and therefore said allegations are denied.

17. Denied: After reasonable investigation the Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of these allegations, and therefore said allegations are denied.

CAUSES OF ACTION

COUNT I

DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

18. Denied: After reasonable investigation the Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of these allegations, and therefore said allegations are denied.

AFFIRMATIVE DEFENSES

And now having responded to each of the Plaintiff's allegations and having denied any liability in this matter whatsoever, Defendant sets forth the following affirmative defenses:

Any act or action taken by Defendant was a permitted action under 15 U.S.C. 1692 et seq.

That Defendant Law Firm is a law firm.

That Plaintiff's claims fail to state a claim upon which relief may be granted.

WHEREFORE, Defendant, THE SCHREIBER LAW FIRM, PLLC, respectfully requests judgment be entered against the Plaintiff, Rita Wilczynski, and in favor of the Defendant, THE SCHREIBER LAW FIRM, PLLC, David K. Bifulco, and Miss Alexander, and that this Honorable Court award Attorney Fees to the Defendant in the amount of \$5,000.00 and any other relief the court deems just and proper.

RESPECTFULLY SUBMITTED,

By: 

DAVID KENNEDY BIFULCO, ESQUIRE

Of Counsel

The Schreiber Law Firm, PLLC

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Date: 12/20/13